

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

JOHN KILAR

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-8377

Decision No. CU-3507

AMENDED FINAL DECISION

Under date of March 13, 1969, the Commission entered a Final Decision certifying a loss in favor of JOHN KILAR and CATHERINE KILAR in the amount of \$882.52 plus interest at 6% per annum from October 13, 1960 to the date of settlement.

Subsequently, the Commission was informed that Catherine Kilar had died. Upon consideration of this matter, it is

ORDERED that the Final Decision be amended as follows:

The Commission finds that upon the death of his wife, Catherine Kilar, who was a joint owner of the property in question, claimant acquired all of her rights therein by virtue of survivorship. Accordingly, the following certification of loss will be entered and the Final Decision is affirmed in all other respects.

CERTIFICATION OF LOSS

The Commission certifies that JOHN KILAR succeeded to and suffered a loss, as a result of actions of the Government of Cuba,

within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Eight Hundred Eighty-two Dollars and Fifty-two Cents (\$882.52) with interest at 6% per annum from October 13, 1960 to the date of settlement.

Dated at Washington, D. C.,
and entered as the Amended Final
Decision of the Commission

JUL 2 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities for the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

JOHN KILAR and
CATHERINE KILAR

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -8377

Decision No. CU -
3507

PROPOSED DECISION

Claimants, JOHN KILAR and CATHERINE KILAR, who owned a stock interest in the Central Violeta Sugar Company, S.A., assert a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Company.

In our decision entitled the Claim of Huntley E. Cox (Claim No. CU-2944 which we incorporate herein by reference), we held that the properties of the Company were nationalized or otherwise taken by the Government of Cuba on October 13, 1960, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per share of \$30.4318.

On the basis of evidence in the record in the instant case, the Commission finds that these claimants come within the terms of the Cox decision; that they were American nationals at the requisite times; that they have been the owners of 29 shares of stock in the Central Violeta Sugar Company, S.A. since prior to October 13, 1960; and that they suffered a loss in the amount of \$882.52 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from October 13, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Cox, supra.)

CERTIFICATION OF LOSS

The Commission certifies that JOHN KILAR and CATHERINE KILAR suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Eight Hundred Eighty-Two Dollars and Fifty-Two Cents (\$882.52) with interest at 6% per annum from October 13, 1960 to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

FEB 12 1969

Leonard v. B. Sutton
Leonard v. B. Sutton, Chairman

Theodore Jaffe
Theodore Jaffe, Commissioner

Sidney Freidberg
Sidney Freidberg, Commissioner

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NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)